

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DAVID PITLOR,

Plaintiff,

vs.

CHARLES SCHWAB CORPORATION,

Defendant.

8:18CV196

ORDER

Plaintiff has filed a motion for leave to file a second amended complaint, (Filing No. 8), a motion for preliminary injunction, (Filing No. 7), and a motion for immediate injunctive and/or declaratory relief. (Filing No. 9).

Defendant has moved to substitute the defendant and to compel arbitration, (Filing No. 10), and motions for additional time to respond to Plaintiff's motions. (Filing Nos. 13 and 14). Defendant argues that if the court finds the disputes alleged in Plaintiff's complaints are subject to binding arbitration, the matters raised in Plaintiff's pending motions must be decided in the arbitration forum. As such, Defendant argues the court should stay the deadlines for responding to Plaintiff's motions pending a ruling on the threshold arbitration issue. The court agrees.

Accordingly,

IT IS ORDERED:

- 1) Defendant's motions, (Filing Nos. 13 and 14) are granted.

2) Defendant's deadlines to respond to Plaintiff's preliminary injunction motion, motion to amend, and motion for immediate injunctive and/or declaratory relief, (Filing Nos. 7, 8, and 9), are stayed pending a ruling on Defendant's motion to compel arbitration. (Filing No. 10).

3) If Defendant's motion to compel arbitration is denied, Defendant shall respond to Plaintiff's motions, (Filing Nos. 7, 8, and 9) within 10 days following the court's ruling on the arbitration issue.

4) The clerk shall mail a copy of this order to the pro se plaintiff.

May 21, 2018.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge